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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,879	01/22/2004	Joseph H. Holland	LMK-100US	5447
23122	7590	05/13/2008		
RATNERPRESTIA			EXAMINER	
P O BOX 980			SWEARINGEN, JEFFREY R	
VALLEY FORGE, PA 19482-0980				
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			2145	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/762,879

Applicant(s)

HOLLAND ET AL.

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 18 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 18 is directed to a computer readable carrier including computer program instructions. Applicant defined the computer readable carrier to encompass "...such as a magnetic or optical storage medium, or an auto frequency carrier or a radio frequency carrier." Signals are non-statutory subject matter. *In re Nuijten*.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bott (Using Microsoft Office 2000 Special Edition, Que Publishing, 1999, Chapter 24: Using Excel in a Workgroup) in view of Sweet et al. (US 2002/0031230).
5. In regard to claims 1, 12 and 18, Bott disclosed the use of a spreadsheet in Excel. The spreadsheet was password protectable. Bott, 592. The spreadsheet was able to be shared with multiple users. Bott, 595-597. Revisions that each user made to the spreadsheet were tracked. Bott, 598. Bott did not disclose individualized protection of portions of the spreadsheet by password. Sweet disclosed allowing a particular user to have access to a portion of a data file, and establishing an access code for that portion of the data file. Sweet, Figure 7. Sweet states "...an ideal access control technology would allow different people to view different parts of a single report, plan, database query, or financial spreadsheet, and deny them access to other parts." Sweet, [0006]. Sweet controlled this based on a

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user's "credentials", or access permissions. Sweet, [0012]. Sweet, [0138]. One of these credentials in a user's security profile is the "user ID of the member". Sweet, [0155]. Applicant's claimed invention uses the e-mail address as a user ID. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the spreadsheet password protections of Bott with the idealized access permission system of Sweet in order to "provide a good one-to-many solution to accessing parts of an information repository" Sweet, [0006] and to allow for spreadsheet use in large organizations where many people need access to information, but where each person should only have access to information to which he or she is entitled. Sweet, [0004].

6. In regard to claim 2, Sweet further disclosed *entering the e-mail address into respective linking sections of the data structure, each of the linking sections being associated with a portion of the sections of the data structure*. Sweet, [0040].

7. In regard to claim 3, Sweet further disclosed *associating the e-mail addresses to the respective sections of the data structure from another data structure*. The security profiles are stored in a database separate from the file. Sweet, [0033]

8. In regard to claim 4, 13, Sweet further disclosed *sending an e-mail to one of the users alerting the user of the user's ability to access the sections of the data structure associated with the user's e-mail address*. "The member tokens are distributed over the network to individual network users upon authenticated request and according to each individual user's security profile." Sweet, [0033]

9. In regard to claim 5, 14, Sweet further disclosed *creating, by one of the users, a password, to limit access to the sections of the data structure associated with the one user's e-mail address to the one user and other uses having access rights to the sections of the data structure associated with the one user's e-mail address*. Sweet, [0138]

10. In regard to claim 6, 15, Sweet further disclosed *reassigning, by one of the users, access rights to at least a portion of the data structure associated with the one user's e-mail address to another user*. Sweet, [0138]

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11. In regard to claim 7, 16, Bott further disclosed *enabling at least one of editing the respective sections by users corresponding to the designated e-mail addresses, and viewing the respective sections by users corresponding to the designated e-mail addresses*. Bott, 592.
12. In regard to claim 8, 17, Sweet further disclosed *designating e-mail addresses of users with respective data cells of a spreadsheet included in the data structure*. Sweet, [0138]. Sweet, [0006] A cell is a portion of a spreadsheet.
13. In regard to claim 9, Sweet further disclosed *selecting at least one section in the data structure and entering an e-mail address into a linking section of the data structure to link the at least one selected section with a user associated with the entered e-mail address, and said step of enabling includes enabling access to the at least one selected section to the user associated with the entered e-mail address*. Sweet, [0138], [0155]
14. In regard to claim 10, Sweet further disclosed *selecting the at least one section as a data cell in a spreadsheet, and enabling access to the data cell to the user associated with the entered e-mail address*. Sweet, [0006], [0138], [0155]
15. In regard to claim 11, Bott further disclosed *at least one of highlighting the data cell and clicking on the data cell*. Bott, page 600, Figure 24.7

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Khan et al. US 6,157,934

Bauchot et al. US 6,592,626

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey R. Swearingen
Examiner
Art Unit 2145

/J. R. S./
Examiner, Art Unit 2145

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145